

## Message Text

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ORIGIN SCS-01

INFO OCT-01 H-03 AID-01 SS-07 EUR-08 NSC-06 ISO-00  
SCA-01 NEA-07 /035 R

DRAFTED BY SCS:RBOYLAN:AVW  
APPROVED BY H:ELKRIZEK  
EUR/EE:ISILINS (DRAFT)  
EUR/EE:JSEYMOUR (DRAFT)  
EUR/EE:DJOHNSON (DRAFT)  
EUR/SOV:MLEVITSKY (DRAFT)  
SCA:JDEWITT (DRAFT)  
EUR/EE:TGERTH (INFO)  
EUR/EE:CSCHMIDT (INFO)

-----075810 040521Z /17

P 032246Z AUG 77  
FM SECSTATE WASHDC  
TO AMCONSUL NAPLES PRIORITY  
AMEMBASSY BELGRADE PRIORITY  
AMEMBASSY BUCHAREST PRIORITY  
AMEMBASSY BUDAPEST PRIORITY  
AMEMBASSY PRAGUE PRIORITY  
AMEMBASSY LONDON PRIORITY  
INFO AMEMBASSY MOSCOW PRIORITY  
AMEMBASSY WARSAW PRIORITY  
AMEMBASSY TEL AVIV PRIORITY  
AMEMBASSY ROME PRIORITY

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CODEL EILBERG

E.O. 11652: N/A

TAGS: CGEN, OREP, YO , SHUM

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SUBJECT: CODEL EILBERG - HOUSE JUDICIARY COMMITTEE VISIT

R: STATE 171541

SUMMARY: IMMIGRATION, CITIZENSHIP AND INTERNATIONAL LAW  
(ICIL) SUBCOMMITTEE OF HOUSE JUDICIARY COMMITTEE HELD OVER-  
SIGHT HEARING ON EFFORTS BY INS TO IDENTIFY AND COMMENCE

DENATURALIZATION/DEPORTATION PROCEEDINGS AGAINST PERSONS WHO TOOK PART IN WAR CRIMES DURING WW II. WITNESSES INCLUDED REPRESENTATIVES FROM GAO, INS AND STATE. COMMITTEE PLACED GREAT EMPHASIS DURING TESTIMONY THAT ALL AGENCIES CONCERNED SHOULD PROCESS PENDING CASES AS QUICKLY AS POSSIBLE. MEMBERS OF COMMITTEE WILL TRAVEL ONLY TO ACTION ADDRESSEE POSTS BEGINNING 5 AUGUST TO CONSULT WITH LOCAL AUTHORITIES ON STATE AND INS PROGRESS IN FINDING EVIDENCE TO BE USED IN THESE CASES AND AVAILABILITY OF ADDITIONAL ASSISTANCE/COOPERATION IN AID OF U.S. PROCEEDINGS. DEPT WITNESS WAS SCA DEPT ADMINISTRATOR DEWITT. END SUMMARY

1. ICIL SUBCOMMITTEE CHAIRED BY REP. EILBERG HELD HEARING ON 3 AUGUST 1977 TO REVIEW INS PROGRESS IN INVESTIGATING AND COMMENCING DEPORTATION/DENATURALIZATION PROCEEDINGS AGAINST PERSONS LIVING IN THE U.S. WHO ARE ALLEGED TO HAVE TAKEN PART IN WAR CRIMES DURING WW II. FIRST WITNESS WAS

FROM GENERAL ACCOUNTING OFFICE (GAO) WHICH AT COMMITTEE'S REQUEST IS INVESTIGATING HANDLING OF THESE CASES FROM THE TIME ALIENS WERE ADMITTED TO THE U.S. (LATE 40'S, EARLY 50'S) UNTIL PRESENT. GAO WAS NOT ABLE TO PRESENT ANY CONCLUSIONS AT THIS TIME SINCE ITS INVESTIGATION IS STILL IN EARLY STAGES.

2. INS TESTIFIED THAT IT HAD ALLEGATIONS OF WAR CRIMES LIMITED OFFICIAL USE

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CONCERNING 240-260 PERSONS POSSIBLY RESIDING IN U.S. APPROXIMATELY 118 OF THESE HAVE BEEN IDENTIFIED, INVESTIGATED TO SOME DEGREE, AND SENT TO STATE WITH THE REQUEST TO DEVELOP FURTHER INFORMATION FROM FOREIGN GOVT SOURCES. INS ANNOUNCED THAT IT WAS ORGANIZING A TASK FORCE TO HANDLE ALL CASES INVOLVING ALLEGATIONS OF WAR CRIMES. TASK FORCE WILL COMPLETE REVIEW OF CASES NOT YET FORWARDED TO DEPT AND WILL MONITOR PROGRESS OF CASES WHICH HAVE BEEN SUBMITTED TO STATE. INS ALSO ANNOUNCED THAT IT INTENDS TO SEND INVESTIGATORS TO INTERVIEW WITNESSES IN A NUMBER OF COUNTRIES, PRESUMABLY INCLUDING USSR, ROMANIA, POLAND, YUGOSLAVIA AND ISRAEL. (DEPT HAS NOT YET RECEIVED INS REQUEST CONCERNING TRAVEL OF INVESTIGATORS.)

3. DEPT WITNESS DESCRIBED HISTORY OF LEGISLATION AND PROCEDURES UNDER WHICH REFUGEES AND DISPLACED PERSONS ENTERED U.S. AFTER WW II AND EXPLAINED PROCEDURES CURRENTLY FOLLOWED BY DEPT IN HANDLING CASES REFERRED BY INS FOR ADDITIONAL INFORMATION OF WAR CRIMES. COMMITTEE (IN PARTICULAR REPS. EILBERG AND HOLTZMAN) WERE INTERESTED IN HOW ALLEGED WAR CRIMINALS ENTERED U.S. DESPITE BACKGROUND INVESTIGATIONS. THEY ALSO ASKED ABOUT DEPT'S HANDLING

OF ALLEGATIONS BY FOREIGN GOVTS CONCERNING WAR CRIMES  
ACTIVITIES OF PERSONS RESIDING IN U.S. (ACCORDING TO  
AVAILABLE DEPT RECORDS, ONLY ALLEGATIONS DEPT RECEIVED  
BEFORE 1974 WERE CONTAINED IN EXTRADITION REQUESTS, MOST  
OF WHICH CAME FROM USSR.COMMITTEE ALSO ASKED FOR DETAILS  
OF THESE REQUESTS, I.E., TOTAL NUMBER, SOURCE, DATE  
RECEIVED, DISPOSITION.)

4. COMMITTEE MEMBERS WILL DEPART FOR ACTION ADDRESSEES  
BEGINNING 5 AUGUST 1977. THEY WILL BE INTERESTED IN ALL  
FACETS OF DEPT INVOLVEMENT WITH WAR CRIMES CASES, BOTH  
CURRENT AND PAST AND IN POSSIBILITY OF HOST GOVT COOPERA-  
TION IN PROVIDING FURTHER EVIDENCE. SUGGEST ALL POSTS  
REVIEW WHATEVER RECORDS THEY HAVE ON SUBJECT AND BE PRE-  
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PAID TO DISCUSS FULLY HISTORY OF ANY CASE WHICH HAS COME  
TO POST'S ATTENTION AND ALSO PROCEDURES AVAILABLE TO  
ASSIST IN OBTAINING INFORMATION FROM FOREIGN SOURCES AND  
INTERVIEWING AND DEPOSING WITNESSES.

REPS. EILBERG AND HOLTZMAN URGED THAT DEPT FORWARD MORE  
CASES RECEIVED FROM INS FOR INVESTIGATION BY FOREIGN GOVTS.  
WERE INFORMED WE WOULD PROCESS CASES AS EXPEDITIOUSLY AS  
POSSIBLE.

5. FOR BUCHAREST. ONLY MENTION OF TRIFA CASE WAS COMMENT  
BY CONGRESSWOMAN HOLTZMAN THAT SHE COULD NOT UNDERSTAND  
WHY CASE HAD NOT BEEN BROUGHT TO TRIAL AFTER TWO YEARS OF  
PREPARATION.

6. FOR BELGRADE. CONGRESSMAN SAWYER MENTIONED ARTUKOVI(  
CASE, BUT WAS NOT PRESENT WHEN DEPT WITNESS SPOKE. NEVER-  
THELESS, IT IS VERY LIKELY THAT CODEL WILL SEEK INFORMATON  
ON THIS AND PERHAPS OTHER CASES DURING FORTHCOMING  
BELGRADE VISIT. DEPT INTENDS TO BRIEF CODEL OR STAFF  
MEMBER BEFORE THEIR DEPARTURE.

7. FOR MOSCOW. COMMITTEE PRESSED DEPT WITNESS TO AGREE TO  
APPROACH SOVIETS TO DETERMINE WHETHER THEY WOULD ACCEPT  
ALL REMAINING CASES. (THIS WILL BE SUBJECT OF SEPTTEL.)

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## Message Attributes

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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Disposition Date:** 22 May 2009  
**Disposition Event:**  
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**Document Number:** 1977STATE182632  
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**Document Unique ID:** 00  
**Drafter:** RBOYLAN:AVW  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
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**Litigation History:**  
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**Review Release Event:** n/a  
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**Review Withdrawn Fields:** n/a  
**SAS ID:** 1715763  
**Secure:** OPEN  
**Status:** NATIVE  
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**TAGS:** CGEN, OREP, SHUM, YO  
**To:** NAPLES BELGRADE MULTIPLE  
**Type:** TE  
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**Review Markings:**  
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